

AMENDED IN ASSEMBLY MAY 20, 2015

AMENDED IN ASSEMBLY MAY 6, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

No. 882

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**Introduced by Assembly Member Wilk  
(Coauthor: Assembly Member Gallagher)**

February 26, 2015

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An act to amend Section 15144 of, and to add Section 15267 to, of the Education Code, and to amend Section 53508.6 of the Government Code, relating to school bonds.

### LEGISLATIVE COUNSEL'S DIGEST

AB 882, as amended, Wilk. School bonds: ~~portable electronic devices.~~  
*term of bonds: furnishing and equipping classrooms.*

(1) Existing law authorizes the governing board of a school district or community college district to ~~issue bonds for specified purposes, and order an election and submit to the electors of the district whether the bonds of the district should be issued and sold,~~ and sets forth requirements in that regard, ~~including, among other things, including~~ specifying that the term of a bond shall not exceed 25 years from the date of the bond or bond series.

This bill would specify that the term of a bond used for purposes of furnishing and equipping classrooms shall not exceed 120% of the average reasonably expected economic life of the furnishings and equipment.

~~(2) The California Constitution limits the maximum amount of any ad valorem tax on real property to 1% of the full cash value of the property except for ad valorem taxes or special assessments that pay~~

~~the interest and redemption charges on certain bonded indebtedness, including bonded indebtedness incurred by a school district, community college district, or county office of education for the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities, approved by 55% of the voters if the proposition includes specified accountability requirements.~~

~~This bill would specify that proceeds from the sale of bonds authorized and issued after January 1, 2016, pursuant to the exception described above may be used to purchase portable electronic devices only for furnishing and equipping classrooms and school facilities, and that the portable electronic devices shall only be used for instruction-related purposes in school facilities and shall not be assigned to individual pupils or removed from the schoolsite on a daily basis.~~

*(2) Existing law, additionally and alternatively to the authority described above, authorizes the issuance of bonds or refunding bonds by a school district or community college district secured by the levy of ad valorem taxes, and, pursuant to those provisions, authorizes a school district or community college district to issue bonds that do not allow for the compounding of interest and that have a maturity greater than 30, but no greater than 40 years, in accordance with specified requirements.*

*This bill, notwithstanding those provisions, would specify that a bond used for the purposes of furnishing and equipping classrooms shall not exceed 120% of the average reasonably expected economic life of the furnishings and equipment.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 15144 of the Education Code is amended
- 2 to read:
- 3 15144. (a) The number of years the whole or any part of the
- 4 bonds are to run shall not exceed 25 years, from the date of the
- 5 bonds or the date of any series thereof.
- 6 (b) Notwithstanding subdivision (a), the term of a bond used
- 7 for the purposes of furnishing and equipping classrooms, including,
- 8 but not limited to, purchasing electronic equipment, shall not

1 exceed 120 percent of the average reasonably expected economic  
2 life of the furnishings and equipment.

3 ~~SEC. 2. Section 15267 is added to the Education Code, to read:~~

4 ~~15267. (a) It is the intent of the Legislature in enacting this~~  
5 ~~section to do the following:~~

6 ~~(1) Ensure that the use of proceeds of bond funds issued pursuant~~  
7 ~~to Proposition 39, approved by the voters at the November 7, 2000,~~  
8 ~~is consistent with the intent and requirements of Proposition 39.~~

9 ~~(2) Clarify that portable electronic devices, including, but not~~  
10 ~~limited to, laptops and tablets, may be purchased with Proposition~~  
11 ~~39 bond funds only for the equipping of school facilities and be~~  
12 ~~used for instruction-related purposes in school facilities.~~

13 ~~(b) Proceeds from the sale of bonds authorized and issued~~  
14 ~~pursuant to paragraph (3) of subdivision (b) of Section 1 of Article~~  
15 ~~XIII A of, and subdivision (b) of Section 18 of Article XVI of, the~~  
16 ~~California Constitution may be used to purchase portable electronic~~  
17 ~~devices only for furnishing and equipping classrooms and school~~  
18 ~~facilities. Portable electronic devices purchased with proceeds~~  
19 ~~from the sale of bonds pursuant to this section shall only be used~~  
20 ~~for instruction-related purposes in school facilities and shall not~~  
21 ~~be assigned to individual pupils or removed from the schoolsite~~  
22 ~~on a daily basis.~~

23 ~~(c) This section shall apply to bonds approved by voters after~~  
24 ~~January 1, 2016.~~

25 ~~SEC. 2. Section 53508.6 of the Government Code is amended~~  
26 ~~to read:~~

27 ~~53508.6. (a) Notwithstanding any other law, a school district~~  
28 ~~or community college district may, pursuant to this article, issue~~  
29 ~~bonds that do not allow for the compounding of interest and that~~  
30 ~~have a maturity greater than 30 years, but not greater than 40 years,~~  
31 ~~if the school district or community college district does both of~~  
32 ~~the following:~~

33 ~~(a)~~

34 ~~(1) Complies with the requirements of subdivisions (b) and (c)~~  
35 ~~of Section 15146 of the Education Code.~~

36 ~~(b)~~

37 ~~(2) Makes a finding that the useful life of the facility financed~~  
38 ~~with the bonds that do not allow for the compounding of interest~~  
39 ~~and that have a maturity greater than 30 years, but not greater than~~  
40 ~~40 years, equals or exceeds the maturity date of those bonds.~~

1     ***(b) Notwithstanding subdivision (a), the term of a bond used***  
2     ***for the purposes of furnishing and equipping classrooms, including,***  
3     ***but not limited to, purchasing electronic equipment, shall not***  
4     ***exceed 120 percent of the average reasonably expected economic***  
5     ***life of the furnishings and equipment.***

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